

David S. Gingras

From: David S. Gingras [david@gingraslaw.com]
Sent: Thursday, June 27, 2013 9:30 AM
To: 'Richard Goren'
Subject: RE: GOREN v DOE

Richard,

Claims for injunctive relief in this context are barred by the Communications Decency Act, 47 U.S.C. § 230(c)(1). See, e.g., *Noah v. AOL Time Warner, Inc.*, 261 F.Supp.2d 532, 540 (E.D.Va. 2003) (citing *Smith v. Intercosmos Media Group, Inc.*, 2002 WL 31844907 (E.D.La. Dec.17, 2002)). We have litigated this issue many times and the courts have consistently agreed with our position. See *Giordano v. Romeo*, 76 So.3d 1100 (Fla. 3d Dist 2011) (claim for injunctive relief against Ripoff Report barred by the CDA).

I appreciate that your default judgment purports to transfer ownership of the copyright in this post to you, and I appreciate that copyright claims are not affected by the CDA. However, for various reasons that are beyond the scope of this email, I do not believe the judgment effected a valid transfer of ownership, and I do not believe that Xcentric's continued display of the report would constitute an infringement.

For these reasons, unfortunately Xcentric will not agree to remove the report.

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From: Richard Goren [mailto:rgoren@richardgorenlaw.com]
Sent: Tuesday, June 25, 2013 8:28 AM
To: david@gingraslaw.com
Subject: RE: GOREN v DOE

Hi David,

Hope you are well and busy! Good luck with your new location.

It is now more than a month and I have had no response to my May 14, 2013 communication. Copy attached.

If I do not hear from you within seven days, that is by 5:00pm (Boston time) July 2, 2013 that Xcentric Ventures has complied with the Order, I will commence legal action.

Richard

9/16/2013

Law Office of Richard Goren
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rgoren@richardgorenlaw.com
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From: David S. Gingras [<mailto:david@gingraslaw.com>]
Sent: Tuesday, May 14, 2013 4:46 PM
To: 'Richard Goren'
Subject: RE: GOREN v DOE

Richard,

I will discuss this with the client and get back to you.

Also, please note my address has changed – it's now 4025 E. Chandler Blvd., #70-A26, Phoenix, AZ 85048.

If you sent something to the old address, I will not receive it.

David S. Gingras, Esq.
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From: Richard Goren [<mailto:rgoren@richardgorenlaw.com>]
Sent: Tuesday, May 14, 2013 1:24 PM
To: David@GingrasLaw.com; David@RipoffReport.com
Subject: GOREN v DOE

Hi David,

I hope you are well.

Please see attached judgment served on XCENTRIC VENTURES LLC.

9/16/2013

Let me know your client's intentions.

Thanks

Richard

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